

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
NOVEMBER 25, 2008**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, November 25, 2008, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present until 9:29 a.m.
Board member Ambrose "Butch" Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum, a majority of the board members must be present. All three board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all present to join him in reciting the Pledge of Allegiance

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on November 12, 2008. A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to approve the minutes as published. Motion carried 3-0.

ANNUAL SUPPLY BIDS - 2009

City Attorney Sandy Hemmerlein stated that a Notice to Bidders for the 2009 supply bids appeared in the Herald on November 7 and November 14, 2008. Hemmerlein then opened each bid by item number and bidder, and publicly read each detailed bid. The following items were included with the sealed bids:

Mulzer Crushed Stone, Inc	Bid Bond/Non-collusion affidavit
Cave Quarries, Inc	Bid Bond/Non-collusion affidavit
J.H. Rudolph	Bid Bond/Non-collusion affidavit
River Town Construction LLC	Bid Bond/Non-collusion affidavit
Tri County Paving Inc.	Bid Bond/Non-collusion affidavit
Central Concrete Supply	Bid Bond/Non-collusion affidavit
Ackerman Oil Co	Bid Bond/Non-collusion affidavit
IMI Southwest, Inc	Bid Bond/Non-collusion affidavit
Superior Ag Resources	Bid Bond/Non-collusion affidavit
Sternberg Chrysler	Non-collusion affidavit
Bob Luegers Motors	Non-collusion affidavit
Uebelhor & Sons	Non-collusion affidavit
Ruxer Ford	Non-collusion affidavit
Ralph Schroering	Bid Bond/Non-collusion affidavit

ITEM #1 **CRUSHED STONE**

1-A FOB City stockpile at City Garage, 10,000 tons or less.

Bidder's Name	Mulzer Crushed Stone	Cave Quarries
<u>Sizes</u>	<u>Price Per Ton</u>	<u>Price Per Ton</u>
23	9.40	9.25
53	9.40	9.25
73	9.40	9.25
2	10.95	10.30
5	10.95	10.30
8	11.40	10.50
9	12.45	11.75
11A	12.30	11.95
11B	No Bid	10.85
12	13.85	No Bid
Sand	8.45	10.70
Rip-rap	14.10	12.70
Fill	No Bid	8.70
#92	9.60	

1-B FOB suppliers stockpile, loaded on City trucks and weighed, 10,000 tons or less.

BIDDER'S NAME	Mulzer Crushed	Cave Quarries
<u>Sizes</u>	<u>Price Per Ton</u>	<u>Price Per Ton</u>
23	11.35	10.40
53	11.35	10.40
73	11.35	10.40
2	11.85	11.20
5	11.85	11.20
8	12.35	11.45
9	12.65	12.15
11-A	13.20	12.35
11-B	No Bid	11.20
12	No Bid	No Bid
Sand	9.35	10.45
Rip-rap	13.85	12.20
Fill	No Bid	10.10
#92	10.30	

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept the low bid from Cave Quarries for Item #1, Crushed Stone. Motion carried 3-0.

Item #4 **Concrete Paving Material**

Concrete Paving Material – material & labor

<u>Bidders Name</u>	<u>J.H. Rudolph</u>	<u>River Town Construction LLC</u>
	<u>Price Per Sq Yard</u>	<u>Price Per Sq Yard</u>
6" thickness	<u>\$48.00</u>	<u>\$42.50</u>
8" thickness	<u>\$58.00</u>	<u>\$52.50</u>

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to accept the bid from J.H. Rudolph since it meets all the requirements for Item #4. Motion carried 3-0. [The bid envelope for Item #4 from River Town Construction did not contain a non collusion affidavit or a bid bond.]

**see additional comments and motions before and after Item #10

Item # 5 Concrete & Flowable fill

FOB to various locations throughout the City limits (50 C.Y. pours or less)

<u>Bidders Name</u>		<u>Bidders Name</u>
Central Concrete		IMI Southwest
<u>Sizes</u>	<u>Price Per C.Y.</u>	<u>Price Per C.Y.</u>
5 bag mix	\$88.00	\$85.00
5-1/2 bag	\$90.00	\$87.00
6 bag	\$92.00	\$89.00
3000 PSI	\$85.00	\$81.00
3500 PSI	\$87.00	\$83.00
4000 PSI	\$89.00	\$85.00
Flowable Fill	\$61.00	\$57.00
Calcium Chloride	2.75% (as additive)	2.50% (as additive)
Low Chloride Accel	4.75% (as additive)	3.00% (as additive)
Winter Heat Charge	\$ 3.00	\$ 2.50
<u>Price Per Load</u>		<u>Price Per Load</u>
Small Load Charge \$55.00		Small Load Charge - None
applies to loads less than 2 CY		applies to loads less than---CY
Energy Fuel Surcharge option open depending on 2009 fuel prices		Energy Fuel Surcharge <u>\$7.50 load</u>
For pours exceeding 50 CY, price quotes will be solicited		For pours exceeding 50 CY, price quotes will be solicited

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept the low bid from IMI Southwest being the primary provider and in the event availability is a problem then the street department could go to Central Concrete. Motion carried 3-0.

Item #6 Gasoline regular unleaded – All Grades

<u>Bidder's Name</u>		<u>Bidder's Name</u>	
Superior Ag Resources		Ackerman Oil	
<u>Price Per Gallon</u>	<u>Octane</u>	<u>Price Per Gallon</u>	<u>Octane</u>
1.207	87	1.1298 plus tax	87
1.252	89 ethanol	1.1498 plus tax	89 ethanol

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to award Item #6 to Ackerman Oil which is the low bid. Motion carried 3-0.

Item #7 Diesel Fuel-Premium Grade-15 PPM Sulfur Fuel-Clear Undye

Premium diesel fuel meeting or exceeding Engine Manufacturers Association (EMA)

premium specifications. 25,000 or less gallons, delivered to various City Departments. Bidders to state cetane. Winter Blend shall be delivered from January 1, 2009 through February 28, 2009 and November 1, 2009 through December 31, 2009. Prices to reflect rack prices as of November 24, 2008 at 8:00 a.m. (EDT)

<u>Bidder's Name</u>	<u>Bidder's Name</u>
<u>Superior Ag Resource</u>	<u>Ackerman Oil</u>
No 2 Diesel	1.924 cetane 50 +
No 2 Winter Blend Diesel	1.8466 plus applicable tax
Biodiesel B-20	1.924 "
Biodiesel B-5	1.8691 "
Biodiesel B-5 Winter Blend	1.9078 "
Dyed No 2 Diesel	1.949 "
Dyed No 2 Diesel Winter	1.8619 "
Dyed Biodiesel B-20	1.8844 "
Dyed Biodiesel B-5	1.937 "
Dyed Biodiesel B-5 Winter	1.8516 "
	1.8741 "
	1.9118 "
	1.8666 "
	1.8891 "

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to award Item #7 to Ackerman Oil. Motion carried 3-0.

Item #8 Supply 500 gallons or more of all grades of gasoline or diesel. FOB supplier location. Access to fuel 24 hours per day, every day of the year

<u>Bidder's Name</u>	<u>Ackerman Oil-Circle A Fleet Card</u>
<u>Description</u>	<u>Bid Price/Gallon</u>
Unleaded Ethanol, 87 octane	1.1298 plus applicable tax
Unleaded Ethanol, 89 octane	1.1498 plus applicable tax
Premium Unleaded Ethanol, 91 octane	1.2498 plus applicable tax
No. 2 Diesel	1.8466 plus applicable tax
No. 2 Diesel Fuel, winter blend	1.8691 plus applicable tax
Biodiesel B-5	1.8619 plus applicable tax
Biodiesel B-5, winter blend	1.8844 plus applicable tax
Vehicle card fee, per month	-0-

<u>Bidder's Name</u>	<u>Ackerman Oil-Sun Trak Fleet card</u>
<u>Description</u>	<u>Bid Price/Gallon</u>
Unleaded Ethanol, 87 octane	1.679 less applicable tax
Unleaded Ethanol, 89 octane	1.759 less applicable tax
Premium Unleaded Ethanol, 91 octane	1.839 less applicable tax
No. 2 Diesel	2.599 less applicable tax
No. 2 Diesel Fuel, winter blend	2.599 less applicable tax
Biodiesel B-5	2.699 less applicable tax
Biodiesel B-5, winter blend	2.699 less applicable tax
Vehicle card fee, per month	\$10.00 fee per monthly statement

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to take the bid under advisement so Ackerman Oil can explain the difference in the two types of cards. Motion carried 3-0. Mayor Schmitt asked Police Chief Douglas Tarvin to follow up on this issue.

Item #9 Towing of illegally parked and abandoned vehicles

	Sternberg Chrysler	Bob Luegers Motors
<u>Type of Vehicle</u>	<u>Price Per Tow</u>	<u>Price Per Tow</u>
Cars	-0-	free
Cars moved with dolly	-0-	free
Trucks – under one ton	-0-	free
Trucks-one ton and over	-0-	free

	Uebelhor & Sons	Ruxer Ford
<u>Type of Vehicle</u>	<u>Price Per Tow</u>	<u>Price Per Tow</u>
Cars	-0-	-0-
Cars moved with dolly	-0-	-0-
Trucks – under one ton	-0-	-0-
Trucks – one ton and over	-0-	-0-

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to accept all bids and have the police department use the vendors on a rotating basis. Motion carried 3-0.

Item #4. When the bid envelope from River Town Construction, LLC for Item #4 was opened, a non collusion affidavit and a bid bond were not enclosed. When the City Attorney opened the bid envelope from River Town Construction, LLC for Item #10, this envelope contained a non collusion affidavit and a bid bond. According to the Notice to Bidders, if more than one item is bid, the bid bond covering all bids is to be placed in the envelope containing the lowest bid item.

Mayor Schmitt said the Board was under the impression that River Town Construction, LLC did not meet the bid requirements for Item #4 but has since learned they did meet the requirements. Thereafter, a **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to rescind awarding Item #4 to J.H. Rudolph. Motion carried 3-0.

Item #10 Concrete Sidewalk Replacement Program

		Ralph Schroering	J. H. Rudolph
	<u>Thickness</u>	<u>Price per sq ft</u>	<u>Price per sq ft</u>
Man-made Monothic sidewalk & curb	5"	\$4.60	\$5.75
Man-made Sidewalk & Curb	5"	\$4.80	\$6.00
Man made ADA curb ramp	5"	\$6.00	\$8.25
Man-made driveway crossing	6"	\$5.70	\$7.50
		<u>Price Per Lin Ft</u>	<u>Price Per Lin Ft</u>
Curb & gutter	Standard	\$11.90	\$14.00

		River Town Construction, LLC
	<u>Thickness</u>	<u>Price per sq ft</u>
Man-made Monothic sidewalk & curb	5"	\$4.25

Man-made Sidewalk & Curb	5"	\$4.60
Man made ADA curb ramp	5"	\$5.75
Man-made driveway crossing	6"	\$5.25

		<u>Price Per Lin Ft</u>
Curb & gutter	Standard	\$12.00

In light of the fact that River Town Construction is a new bidder, a **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to take Items #4 and #10 under advisement so the street commissioner and the city engineer can check their references and report back at the next meeting. Motion carried 3-0.

MILL PROJECT CHANGE ORDERS

Mayor Schmitt presented the following change orders for the Mill Project. The change orders have been reviewed by ROJAC and need to be approved by this board.

Change Order #0804-Increase size of floor joist at three levels. \$1,080.00 ADD

Change Order #0805-Add wood framing at each end of the front porch roof gables.

\$985.50 ADD

Change Order #0806-Add wood flooring over the recessed portion of the concrete floor slab on treated wood sleepers and finish the wood flooring. \$29,458.00 ADD

Change Order #0807-Change the 2"x10" oak wall girts at the exterior walls to 2"x 8" poplar wall girts. NO COST CHANGE

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the four change orders that were described. Motion carried 3-0.

2009 BITUMINOUS MATERIAL SUPPLIER

The 2008 bid for Item #2 Bituminous Materials was awarded to J. H. Rudolph Co. and the bids for Item #3 Bituminous Patching Material were awarded to Tri-County Paving and J.H. Rudolph. Street Commissioner Raymond Eckerle said the City has received an offer from both suppliers to extend the prices through 2009. Rudolph did make one slight formula modification change. The change will be a new state standard in 2009. Mayor Schmitt said the City of Jasper has a great working relationship with J.H. Rudolph.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to extend the contract for 2009 with J.H. Rudolph and with Tri-County Paving as we have done in the past. Motion carried 3-0.

HIGH WEED COMPLAINTS

Fire Chief Kenneth Hochgesang reported that at the last meeting Brian & Karla Neukam were given an extension of no longer than a week to abate the weeds on their property located along 2nd Avenue as long as the Fire Chief continues to see progress. Hochgesang said as of yesterday, the abatement of weeds has not been completed. Hochgesang also said Neukam agreed he would get it done but he wants to use a sickle instead of a mower and the rain has prevented him from getting the job done.

Mayor Schmitt asked Hochgesang as the Code Enforcement Officer to monitor the property and if the weeds are not abated today or tomorrow, then Hochgesang should follow the regular process regarding high weeds.

City Attorney Sandra Hemmerlein recommended having a police officer go with Hochgesang when he goes to the property.

CLAIMS FOR FIREFIGHTERS AUTO & CLOTHING ALLOWANCE

The claims against the City for the firefighters' annual vehicle and clothing allowance were presented to and examined by the board.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to approve the claim vouchers for the Firefighters' Auto & Clothing allowance mandated by the State in the amount of \$10,795.90. Motion carried 3-0.

BITUMINOUS MATERIAL CONTRACT

Street Commissioner Raymond Eckerle reported he has received notification about price decreases from the asphalt suppliers J.H. Rudolph and Tri-County Paving.

COLOR DIGITAL COPIER

Street Commissioner Raymond Eckerle asked permission to accept a quote from Hoosier Business Machines [HBM] for a digital color copier/scanner/printer less the trade in of an old copier. The City is purchasing a VOS wavescan system and the street department needs to upgrade its equipment in order to be compatible with the wavescan system. Eckerle said he explored several avenues and HBM had a black and white copier for \$4,995.00. HBM also had special pricing on a color copier for a net price of \$4,895.00. The special pricing quote is:

\$6,625.00 color digital copier/scanner/printer
1,200.00 document feeder
150.00 copier stand
-2,480.00 trade in copier
- 600.00 additional closeout pricing
\$4,895.00 net price

City Attorney Sandra Hemmerlein said Eckerle only obtained one quote because of the availability of making a special purchase and because he is trying to make the equipment compatible with the VOS wavescan system.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept the quote from Hoosier Business Machines for \$4,895.00 after trade for a color digital copier. Motion carried 3-0.

ELECTRICAL HOOKUPS

Street Commissioner Raymond Eckerle asked permission to accept a bid proposal from E & K Electric to install a 50 amp feeder from the west power panel to the north wall on the east side of the first bay door, install a 3PH 4-wire outlet for truck lift system, 30 amp fusible disconnect and size 1 motor starter, install conduit from starter to west side of bay door to pump motor, hookup the motor and install weather-proof stop-start station. The estimated cost for this project is \$2,962.00.

Eckerle explained the need for the additional electrical work and said such work at the street department is usually done by E & K Electric.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to approve the request for the electrical work for the transfer pump and truck lift hookup job for an estimated cost of \$2,962.00 from E & K Electric. Motion carried 3-0.

IRON WORKER MACHINE QUOTES

Street Commissioner Raymond Eckerle stated a previous meeting quotes for an iron worker machine were taken under advisement. He presented pictures of the machines that were quoted. He explained how each machine operates and its functions. Eckerle recommended the second lowest quote from Metalfab for \$12,412.00.

Eckerle said the Edwards Iron Worker did not meet all the specifications and when inquiring about training sessions, Doug's Standard said he "could probably find someone to train".

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to rely on the Street Commissioner's recommendation and accept the quote from Metalfab in the amount of \$12,412.00, which is not the low quote, but is the most responsive and responsible to do the work we want to have done; the low quote does not meet the specs and have shearing capabilities; and we would get a better machine. Motion carried 3-0.

Thomas Schmidt left at 9:29 a.m.

PERFORMANCE BOND RELEASES

Building Commissioner David Seger asked the Board to release two performance bonds that have been signed off on. The subdivisions are Canterbury Green and Herzog's First Addition. Since the Herzog subdivision is within the County, Seger said Steve Berg with the County will stop in today and sign the release form.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to release the subdivision performance bond for Canterbury Green and also the subdivision performance bond for Herzog's First Addition on condition Steve Berg, the County Highway Superintendent, signs the release form. Motion carried 2-0.

ENGINEER DEPARTMENT REPORTS

Mill project. City Engineer Hurm reported on the Mill project and said the weather is not cooperating but the interior walls are poured for the wheel section.

Walking Path. The barrels are gone and the re-stripping and re-signing, etc are being done now and should be finished by the end of the week.

Mayor Schmitt asked Administrator Assistant Lois Kuntz to head up a ribbon cutting ceremony and notify the right people, and the newspaper.

Badendorf Storm sewer project. Hurm stated all the pipes are in and they are cleaning up and should be done by next week.

He asked for permission to proceed with the plans and specifications for the remainder of that area. The phasing will be determined as money allows.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to allow the City Engineer to proceed with formulating the rest of the Badendorf storm sewer. Motion carried 2-0

COMPUTER DESK TOP QUOTES

City Engineer Chad Hurm presented quotes for a desktop computer for the engineer. The quotes were as follows:

Dell	\$1,571.00 (meets minimum specifications)
HP	1,572.00 (meets minimum specifications)
Alienware	1,749.00 (meets minimum specifications)

Hurm recommended purchasing the desktop from Dell.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter upon recommendation of the City Engineer to accept the low quote from Dell for \$1,571.00. Motion carried 2-0.

JUNK PRINTER

City Engineer Chad Hurm asked permission to junk HP 2500 color printer, asset tag #100350. Hurm said the printer no longer works.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to declare the printer, asset # 100350, in the engineering department junk and be destroyed. Motion carried 2-0.

ENCROACHMENT REQUEST

Christian Church of Jasper wants to install a fence around a permanent retention pond. They are making an encroachment request because the fence would be located within a 15 ft. public utility and drainage easement. Comments from the department heads were reviewed and their concerns were stated in the encroachment agreement.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the encroachment agreement with Christian Church of Jasper for Lot 2 in the Christian Church of Jasper Second Addition in order to install a fence on a public utility and drainage easement. Motion carried 2-0.

ESTIMATES – REPLACEMENT SEWAGE EJECTOR PUMP

Police Chief Douglas Tarvin presented to the board estimates and an overview for what is needed for replacing the sewage ejector pump. The estimates are as follows:

Jasper Municipal Utilities Wastewater dept. (approximately)	\$2,000.00
Mehringer Plbg-Htg-Air Conditioning (new manhole lid)	9,575.00
Mehringer Plbg-Htg Air Conditioning (without new manhole lid)	8,000.00
Schmidt Contracting (with new manhole lid)	9,750.00
Schmidt Contracting (without new manhole lid)	7,350.00

Mayor Schmitt complimented the wastewater department for helping out other departments of the City.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to allow the Jasper Wastewater department to proceed with the repairs as listed for an estimate of \$2,000.00. Motion carried 2-0.

Adjournment. There being no further business to come before the board, a motion was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to adjourn the meeting. The motion carried 2-0 and the meeting adjourned at 10:07 a.m.

The minutes were hereby approved _____ with X without corrections or clarification this 9th day of December, 2008.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary